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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

December 1, 1993

CS-3T

Mr. Thomas Burzycki  
President  
The Selmer Company, L.P.  
500 Industrial Parkway  
Elkhart, IN 46516

Macmillan, Inc.  
c/o Ms. Diane Moore  
Mc Dermott, Will & Emery  
227 Monroe Street  
Chicago, IL 60606-5096

Ms. Risa H. Weinstock  
Sr. Counsel  
North American Philips Corporation  
100 E. 42nd Street  
New York, NY 10017

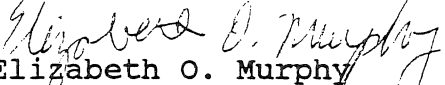
Re: United States v. The Selmer Company, L.P., et al.  
Consent Decree for Civil Action No. S89-00348

Dear Mr. Burzycki, Ms. Weinstock and Ms. Moore:

The purpose of this letter is to notify you that The Selmer Company, L.P., North American Philips Corporation, and Macmillan, Inc. ("Defendants") are in violation of Section XII, paragraph 34.a. of the above-referenced Consent Decree, which became effective on September 28, 1993. Under that provision, Defendants were required to pay to the United States, by Electronic Funds Transfer, \$445,000 plus interest on that amount for the period April 26, 1991 to the date of payment, which should have been November 29, 1993. As of that date, the United States has received only partial payment of the amount Defendants are required to pay. Additionally, Section IV, paragraph 5.b., provides: "The obligations of Defendants to finance and perform the Work and to pay amounts owed the United States under this Consent Decree are joint and several. In the event of insolvency or other failure of any one or more Defendants to implement the requirements of this Consent Decree, the remaining Defendants shall complete all such requirements."

The United States may exercise its right to enforce the terms of this Consent Decree should Defendants' noncompliance continue. I urge you to attend to this matter immediately.

Sincerely,

  
Elizabeth O. Murphy  
Assistant Regional Counsel

cc: F. Bentkover, DOJ